



2. I am currently domiciled in I am currently domiciled in Flower Mound, Denton County, Texas.
3. I am a command pilot in the United States Air Force Reserve with a TS/SCI clearance and over 2,300 flight hours in multiple aircraft. I am currently serving as the Deputy, Commander's Action Group, Tenth Air Force at Naval Air Station Joint Reserve Base Fort Worth, Texas.
4. I was a Distinguished Graduate and received a Regular commission out of the United States Air Force Academy in May of 1995. For my first assignment, the Air Force sent me in-residence to the University of Texas at Austin to obtain my Master of Science Degree in Environmental Science Engineering. Upon graduation in 1996, I attended Undergraduate Pilot Training (UPT) at Laughlin Air Force Base, Texas.
5. In October of 1997, I graduated from UPT and was sent to Travis Air Force Base, California to fly the KC-10 Extender. While at Travis AFB, I upgraded to Aircraft Commander and deployed in support of Operations SOUTHERN WATCH, DESTERT FOX, PHOENIX SCORPION I and II, and ALLIED FORCE.
6. I accepted a flying Special Duty Assignment to the United States Air Force Academy in 2001 where I became a certified flight instructor and evaluator while training and mentoring cadets in numerous Airmanship and Flight Screening programs. I transitioned to the Air Force Reserve in 2005 while stationed at USAFA.
7. Desiring to move back to an operational environment from training, I changed assignments to Beale Air Force Base, California in 2009 to fly the RQ-4 Global Hawk. While at Beale, I upgraded to instructor and evaluator, deployed forward twice and flew combat missions in support of Operations ENDURING FREEDOM and NEW DAWN. In

addition, during my time in the RQ-4, I flew combat missions in support of Operations TOMADACHI and ODYSSEY DAWN from my deployed-in-garrison location at Beale AFB, California.

8. While a Field Grade Officer, I served in several key leadership positions at Beale AFB from 2012 through 2018. I was the Commander, 940<sup>th</sup> Operations Support Flight, the Commander, 13<sup>th</sup> Reconnaissance Squadron, and the Deputy Commander, 940<sup>th</sup> Operations Group, managing the Group's Command and Control, Intelligence, Surveillance and Reconnaissance missions, including battle staff, Air and Space Operations Centers, Distributed Common Ground System and E/RQ-4 Global Hawk.
9. In 2018, I promoted to Colonel and was selected as the Commander, 726<sup>th</sup> Operations Group, Creech Air Force Base, Nevada, where I led over 360 Reserve and civilian personnel conducting MQ-1, MQ-9 and RQ-170 formal training and combat missions in support of Operations ENDURING FREEDOM and FREEMOM'S SENTINEL from the deployed-in-garrison location and Creech AFB. In August 2021, I completed my Group Command tour and moved to my current staff positions as the Director of the Tenth Air Force Commander's Action Group in Texas.
10. In addition to my flight training and commander's courses, I have also completed Air Command and Staff College in 2008, Leadership Today and Tomorrow course in 2012, Air War College in 2015, Reserve Component National Security Course in 2015, and NATO Reserve Forces Integration Course at the NATO School in Oberammergau, Germany in 2016.
11. I have now served honorably for almost 28 years and was on-track for Wing Command. On my last five performance evaluations I was rated #1/13 Operations Group



Commanders, #1/24 Operations Group Commanders, #1/5 Wing Colonels, #1/297 Wing Field Grade Officers, #1/13 Wing Squadron Commanders.

12. In response to the COVID 19 shot mandate, I was tasked by Major General Bryan Radliff, the Tenth Air Force Commander, to lead the Tenth Air Force COVID-19 Operational Planning Team. While in that role, I raised my concerns regarding the legality of the mandate in the absence of FDA-approved COMIRNATY supplies and the legality of mandating the EUA-version based on the interchangeability argument. I brought this to the attention of my commander, Maj Gen Radliff, the 10 AF Staff Judge Advocate, Colonel Christopher Vannatta, as well as the Air Force Reserve Command (AFRC) Operational Planning Team, to include the OPT Lead, Maj Gen John Hickock and HQ AFRC Staff Judge Advocate, Colonel Charlotte Liegl-Paul. Not only were my concerns dismissed, but the additional concerns I raised regarding timelines, "guidance" in the form of "Frequently Asked Questions," the appeal processes, decisions to curtail orders, punish and separate our members that were not in accordance with current written regulations resulted in my removal from the OPT to "eliminate the noise coming from 10 AF." This removal had no career implications and was welcome by me as it became eminently clear that the intent from Lieutenant General Richard Scobee, Commander and Chief of the Air Force Reserve, on down the chain of command was that immediate, rapid compliance was more important than ensuring things were done transparently, lawfully or correctly. In addition, the message the command seemed to be focused on sending was that non-compliance was to be met with rapid, immediate UCMJ consequences and the early focus was on how to not let people separate without being punished (started with denial of the voluntary transfer of the unvaccinated to the Individual Ready Reserve (IRR), talk of Article 15s, Dishonorable

Discharges, and Officer Grade Determinations at a lower rank for those deciding to retire, curtailment of orders, and finally settled on a Letter of Reprimand with an Unfavorable Information File as a minimum before involuntarily forcing people into the Individual Ready Reserve). It was stated by Major General Scobee on many occasions in multiple virtual meetings, in which I was in attendance, that he, "did not see a continued path to serve for anyone unvaccinated" and that with the civilian employment mandates you would be unemployable on the outside as well. This was stated frequently prior to the release of the guidance on how to apply for a religious accommodation. The numerous "threats" from early on that have been walked back through changes in guidance, as well as verbal "threats" of punishment or loss of pay/benefits that never manifest in guidance or application, lend to the appearance of coercion by empty threats from leadership early on before most Airmen discovered they were not executable, the most consistent being threats that would impact an Airmen's current and future income in both the Air Force Reserve as well as in the civilian sector. [Please also add in whether you have a documentable case of Covid already. i.e. If you have already had Covid and have natural immunity AND can show it from your medical records, whether it's military medical records, PCR test, etc.]

13. I submitted a Religious Accommodation (RA) request to the Commander of Air Force Reserve Command, in accordance with AFI 52-201, in response to the Secretary of Defense COVID 19 vaccine mandatory vaccination order. My Religious Accommodation request was denied by the Commander of Air Force Reserve Command on 12 November 2021 and I was given 72 hours to submit an appeal. I requested my RA package from my leadership in order to draft my appeal response addressing whichever reasons my commander or the Air Force Reserve gave for being unable to accommodate my request in

my current non-deployable, staff job. My leadership told me the Air Force said they were not to give it to me and that if I wanted it I had to submit a FOIA request. I contacted Ms. Karen Frey from AFRC and clarified I was requesting my package under the Privacy Act and she communicated to me that Air Force Legal was “pushing all requests to the FOIA process and not to expect it for several months.” I requested an extension of the deadline to submit my appeal from my supervisor pending receipt of my requested appeal package. My supervisor gave me a few additional days, but I was forced to write an appeal based upon a form letter that did not address my particular situation. I submitted my appeal on 23 November 2021.

14. After multiple queries to Ms. Frey, she communicated that my Privacy Act Request was denied with “pending litigation” given as the reason from legal, but I never received a formal reply with appropriately documented redactions and reasons for redactions. It simply went unanswered. I eventually received a FOIA response on 6 February 2022 that was heavily redacted.

15. Despite only giving me 72 hours to draft my appeal, my appeal package sat at AFRC from 23 November 2021 until 19 January 2022, when it was finally submitted to HAF/SG in the Case Management System (CMS), the appeal authority according the AFI 52-201. As of 24 March 2022, I have still not received an answer to my appeal. Based upon the statistics, I anticipate receiving a denial to my appeal any day.

16. Assuming my appeal is denied, the current guidance says that I will get another order that I have 5 days to get the shot or apply for retirement (since I am eligible.) There have been many moving targets from AFRC regarding when Airmen who are eligible to retire must apply in order to avoid varying consequences (threats in my opinion.) An early



on threat that has since been walked back was that those applying for retirement would get a Letter of Reprimand resulting in an Unfavorable Information File which could be used during the Officer Grade Determination to retire "refusers" at a lower grade (in my instance that would mean retiring me as a Lieutenant Colonel instead of the rank of Colonel, which I have earned.) The most recent moving target is whether I will be required to retire within 60 days or whether this has been extended to 120 days. Either way, my current order would have had me employed in this job until August of 2024 with the possibility of continuing to serve upon completion of this staff tour.

17. While it appears likely that my retirement will not be impacted, any possibility of completing my current order or even continuing my career in the Air Force Reserve (I was on-track for Wing Command) is moot at this point due to the stigma of this entire process.

18. My vaccination status did not prevent me from continuing to execute the mission of the Air Force during the pandemic. During the entirety of the pandemic prior to the vaccine mandate, I was the Commander of the 726<sup>th</sup> Operations Group at Creech Air Force Base, Nevada, where I led over 360 Reserve and civilian personnel conducting MQ-1, MQ-9 and RQ-170 formal training and combat missions in support of Operations ENDURING FREEDOM and FREEMOM'S SENTINEL from the deployed-in-garrison location and Creech AFB. My personnel were continuously engaged in combat operations 24 hours a day, 7 days a week, 365 days a year from our deployed-in-garrison location at Creech Air Force Base, Nevada. The personnel under my command flew almost 58,000 combat hours, conducted 19 air strikes resulting in the elimination of 31 high value individuals from the battlefield from August 2019 thru August 2021. Our mission continued uninterrupted during the entirety of the pandemic while I was the commander. I did not miss one day of

work for illness as I was perfectly healthy the entire three years of my command. I never even had a common cold. I successfully and uneventfully traveled outside of Nevada while unvaccinated to visit my geographically separated units at Beale AFB in California and at Holloman AFB in New Mexico where I held commander's calls and interacted with my personnel without issue or health impacts to myself or anyone else. These trips are documented in AROWS and the Defense Travel System. My last two performance evaluations covering the period of August 2019 through August 2021, during which I was unvaccinated, I was ranked as the #1 Operations Group Commander in all of Tenth Air Force and I was awarded the Legion of Merit medal.

19. I successfully and uneventfully PCSd, while unvaccinated, from Creech AFB, Nevada, to Naval Air Station Joint Reserve Base Fort Worth, Texas in August of 2021 where I assumed my new role as the Director of the Tenth Air Force Commander's Action Group. I have continued to perform the duties of my non-deployable, staff position uninterrupted since assuming the role despite being unvaccinated. My current boss discourages telework, so I have been working in person since August 12, 2021 except for a short period of time in January of 2022 due to testing positive for COVID 19 on 11 January 2022. My symptoms were mild. I thought it was my seasonal allergies and would not have thought I was "sick" with COVID if I had not been required to provide a negative COVID test in order to report to work. I have the electronic report from DxTerity documenting that I tested positive for COVID 19. I still did not miss a day of work. I teleworked the entirety of my quarantine period, attending all meetings virtually, collaborating with co-workers virtually, and developing several new processes utilizing an on-line platform that has become the benchmark method for collaborating and communicating information to the



General. I returned to in-person work immediately upon termination of the quarantine period. The only ongoing impact to my ability to perform my job is the Air Force policy limiting travel of unvaccinated persons to "Mission Critical." I would argue even this limitation has not impacted my ability to do my job in any meaningful or measurable way.

20. With the exception of the verbal statements I overheard in meetings to which I was in attendance, copies of all documents mentioned can be provided to the Court.

I declare under penalty of perjury, under the laws of the United States, that the foregoing statements are true and correct to the best of my knowledge.

Executed this March 25, 2022.

  
Karyn L. Christen, Colonel, USAF